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12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 **In re:**

16 **PG&E CORPORATION**

17 **-and-**

18 **PACIFIC GAS AND ELECTRIC**
19 **COMPANY,**
20 **Debtors.**

21 ☐ Affects PG&E Corporation

22 ☐ Affects Pacific Gas and Electric
23 Company

24 ☒ Affects both Debtors

25 **All papers shall be filed in the Lead*
26 *Case, No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**DECLARATION OF ROGER K.
PITMAN, M.D. IN SUPPORT OF
OBJECTION OF THE OFFICIAL
COMMITTEE OF TORT
CLAIMANTS TO THE DEBTORS'
MOTION PURSUANT TO 11 U.S.C.
§§ 105(a) AND 502(c) FOR THE
ESTABLISHMENT OF WILDFIRE
CLAIMS ESTIMATION
PROCEDURES (Dkt. No. 3091)**

Date: August 14, 2019
Time: 9:30 a.m. (Pacific Time)
Place: United States Bankruptcy
Court
Courtroom 17, 16 Floor
San Francisco, CA 94102

1
2 I, Roger K. Pitman, M.D., declare and state as follows:

3 **Qualifications**

4 1. I am a psychiatrist with over 50 years of experience practicing
5 medicine. I have spent my career diagnosing, treating, and researching Post-
6 Traumatic Stress Disorder (PTSD) and other stress- and trauma-related mental
7 disorders. I am the Director of the Post-Traumatic Stress Disorder Research
8 Laboratory at the Massachusetts General Hospital, which performs
9 psychobiological research into the assessment, pathophysiology, prevention and
10 treatment of PTSD. I am a Professor of Psychiatry at the Harvard Medical School,
11 where I supervise medical students, psychiatric residents, psychology trainees, and
12 junior faculty. I am certified by the American Board of Psychiatry and Neurology
13 in the Specialty of Psychiatry and the Subspecialty of Forensic Psychiatry. I am a
14 Distinguished Life Fellow of the American Psychiatric Association. In 2004, I was
15 awarded the International Society for Traumatic Stress Studies (ISTSS) Award for
16 Outstanding Scientific Achievement in the Field of PTSD. In 2009, I was awarded
17 the ISTSS Lifetime Achievement Award. I have been listed in the Castle Connolly
18 Top Doctors in America.

19 2. In my role as Director of the PTSD Research Laboratory at
20 Massachusetts General, my main duty is to conduct research into PTSD. I also treat
21 patients. From 1973 to the present, I have practiced psychiatry at various
22 institutions in the United States, including the Naval Regional Medical Center in
23 Newport, Rhode Island (1973-1975), the VA Medical Center in Bedford,
24 Massachusetts (1975-1978), the VA Medical Center in Memphis, Tennessee (1978-
25 1980), the VA Medical Center in Manchester, New Hampshire (1980-2000), the
26 Clinical Research Center at the Massachusetts Institute of Technology (2000-2005),
27 and the Massachusetts General Hospital in Boston, Massachusetts (1997 to the
28 present). I have also maintained a part-time private practice in forensic psychiatry

1 since 1986.

2 3. I have taught psychiatry since 1976, at Boston University School of
3 Medicine (1976-1978), University of Tennessee Center for the Health Sciences
4 (1978-1980), Dartmouth Medical School (1981-1987), and Harvard Medical School
5 (1986-present). I have served on a number of editorial boards and committees in
6 the field. I collaborated with a group of advisors to author the chapter on PTSD in
7 the Fourth Edition of the *Diagnostic and Statistical Manual of Mental Disorders*
8 (DSM-4), which at the time was the authoritative diagnostic guide used by mental
9 health professionals. I have published more than 150 peer-reviewed, research and
10 academic articles and book chapters on PTSD and other trauma- and stress-related
11 disorders. I am last (senior) author of the chapter on Trauma- and Stressor-Related
12 Disorders in the current American Psychiatric Association Publishing *Textbook of*
13 *Psychiatry*.¹

14 4. I have been qualified by state and federal courts and courts-martial as
15 an expert in the field of forensic psychiatry, and I have testified as an expert in
16 psychiatry in depositions and trials in many litigations. If called upon, I could and
17 would competently testify to the following.

18 **Background**

19 5. I have reviewed accounts of the fires and wildfires that destroyed areas
20 of Northern California between 2016-2018 that are at issue in this matter,
21 specifically, the fire referred to as the "Camp Fire" in 2018, the fires referred to as
22 the "North Bay Fires" in 2017, and the fire referred to as the "Ghostship fire" in
23 2016, which was a fire in a warehouse that killed 36 people (collectively referred to
24 as the "Fires"). I have reviewed coverage of the Fires from major newspapers and
25 media outlets, such as the *New York Times*, the *San Francisco Chronicle*, the *Los*
26 *Angeles Times*, Time Magazine, CNN, and ABC. I have reviewed narratives

27
28 ¹ F.J. STODDARD, N.M. SIMON, R.K. PITMAN, *Trauma- and Stressor-Related Disorders* in
TEXTBOOK OF PSYCHIATRY 393-436 (Am. Psychiatric Association Publishing 7th ed. 2019).

1 describing events that occurred during the Fires. I have also watched videos of
2 Claimants escaping. Many of these Claimants appear to have physically
3 encountered the Fires and even to have been surrounded by them, appear to have
4 had seconds to flee the impending flames, appear to have been stuck in traffic with
5 family members (some of whom were children or elderly), while they attempted to
6 flee, and appear to have watched loved ones and others suffer or die from the Fires.

7 6. Through these accounts and others, I understand that many Claimants
8 experienced and/or witnessed a significant level of traumatic exposure, in which
9 they either suffered or feared suffering burns on their body and/or believed they or
10 family members would die or suffer serious physical injury as a result of the Fires.

11 7. For example, I have read or viewed stories of: a woman who was
12 overtaken with smoke and survived only by finding help from firefighters who were
13 themselves stuck in traffic with flames blocking their escape (*see*
14 [https://www.cnn.com/2018/11/13/us/california-wildfires-woolsey-camp-hill-](https://www.cnn.com/2018/11/13/us/california-wildfires-woolsey-camp-hill-testimonies/index.html)
15 [testimonies/index.html](https://www.cnn.com/2018/11/13/us/california-wildfires-woolsey-camp-hill-testimonies/index.html)); a woman who fled on foot, abandoning her car in an
16 intersection where cars were burning only to learn later that people were found
17 burned to death in the same intersection (*see*
18 [https://www.cnn.com/2018/11/13/us/california-wildfires-woolsey-camp-hill-](https://www.cnn.com/2018/11/13/us/california-wildfires-woolsey-camp-hill-testimonies/index.html)
19 [testimonies/index.html](https://www.cnn.com/2018/11/13/us/california-wildfires-woolsey-camp-hill-testimonies/index.html)); a hospital worker who drove ICU and hospice patients
20 through flames to safety (*see* [https://time.com/5459508/paradise-survival-chaplain-](https://time.com/5459508/paradise-survival-chaplain-camp-fire/)
21 [camp-fire/](https://time.com/5459508/paradise-survival-chaplain-camp-fire/)); a police officer who rescued a woman from a wheelchair from the side
22 of the road (*see* [https://abc7news.com/video-first-responders-rescue-woman-trying-](https://abc7news.com/video-first-responders-rescue-woman-trying-to-escape-camp-fire-in-a-wheelchair/4692057/)
23 [to-escape-camp-fire-in-a-wheelchair/4692057/](https://abc7news.com/video-first-responders-rescue-woman-trying-to-escape-camp-fire-in-a-wheelchair/4692057/)); a married couple who tried to
24 escape the flames that had overtaken their home by sheltering in their swimming
25 pool (only the husband survived) (*see*
26 [https://www.sfgate.com/bayarea/article/Forced-by-Wine-Country-fire-into-a-](https://www.sfgate.com/bayarea/article/Forced-by-Wine-Country-fire-into-a-swimming-pool-12274789.php)
27 [swimming-pool-12274789.php](https://www.sfgate.com/bayarea/article/Forced-by-Wine-Country-fire-into-a-swimming-pool-12274789.php)); another married couple who attempted to shelter
28 in their pool, submersing themselves and coming up for air repeatedly for many

1 hours while their home burned nearby, suffering from smoke inhalation (*see*
2 [https://abc7news.com/lawsuit-filed-against-pg-e-for-practices-causing-north-bay-](https://abc7news.com/lawsuit-filed-against-pg-e-for-practices-causing-north-bay-fires/2647696/)
3 [a family that was separated in the flames, the son died and the daughter
4 and mother were stranded with the son's body while the father left for help \(the
5 daughter died weeks later as a result of her injuries\) \(*see*
6 <https://projects.sfchronicle.com/2019/redwood-fire-victims/>\); a father and young
7 child who fled the Fires in their car, fighting traffic, all while the father attempts to
8 calm his daughter by singing despite the extremely traumatic events unfolding
9 outside their window \(*see* <https://www.youtube.com/watch?v=BYikUpSx0Ro>\); a
10 bus driver who transported elderly people from a senior living center, driving
11 through flames and smoke \(*see* \[https://www.pressdemocrat.com/news/8397327-\]\(https://www.pressdemocrat.com/news/8397327-181/santa-rosa-bus-video-shows?artslide=2\)
12 \[181/santa-rosa-bus-video-shows?artslide=2\]\(https://www.pressdemocrat.com/news/8397327-181/santa-rosa-bus-video-shows?artslide=2\); *see also* \[https://abc7news.com/video-\]\(https://abc7news.com/video-shows-santa-rosa-bus-rescuing-residents-from-north-bay-fires/3569953/\)
13 \[shows-santa-rosa-bus-rescuing-residents-from-north-bay-fires/3569953/\]\(https://abc7news.com/video-shows-santa-rosa-bus-rescuing-residents-from-north-bay-fires/3569953/\)\); a man
14 who fled down a makeshift stairway while others were trapped inside a burning
15 warehouse, who spent months in severe pain getting treatment for the burns on his
16 body and smoke inhalation, some of the time in an induced coma \(*see*
17 \[https://www.mercurynews.com/2017/12/02/the-night-everything-changed-sam-\]\(https://www.mercurynews.com/2017/12/02/the-night-everything-changed-sam-maxwell-rises-from-the-ashes-of-ghost-ship-a-new-man/\)
18 \[maxwell-rises-from-the-ashes-of-ghost-ship-a-new-man/\]\(https://www.mercurynews.com/2017/12/02/the-night-everything-changed-sam-maxwell-rises-from-the-ashes-of-ghost-ship-a-new-man/\)\); a man who lowered
19 himself out of a burning warehouse with an electrical cord \(*see*
20 \[https://www.courthousenews.com/witnesses-recount-escapes-from-ghost-ship-\]\(https://www.courthousenews.com/witnesses-recount-escapes-from-ghost-ship-fire/\)
21 \[fire/\]\(https://www.courthousenews.com/witnesses-recount-escapes-from-ghost-ship-fire/\)\); and a man who was on vacation and received a frantic phone call from his
22 daughter who believed she was going to die \(*see*
23 <https://time.com/5464667/paradise-wildfire-lawsuit-pge/>\). I understand these are
24 only some of the events that occurred.](https://www.pressdemocrat.com/news/8772382-181/im-not-sure-how-you)

26 **Conclusions**

27 8. Several mental disorders may occur following a psychologically
28 traumatic event such as the Claimants were exposed to when they escaped the Fires.

1 The most important of these is PTSD. PTSD represents a constellation of
2 symptoms and signs including intrusive memories associated with the event,
3 avoidance of such memories, negative alterations in cognition and mood, and
4 hyperarousal, which confer clinically significant distress or impairment and last at
5 least a month. Both the distress and impairment can be profound and long-lasting.

6 9. In short, first, it is my understanding that a substantial portion of the
7 Claimants in this case were exposed to the risk of death or serious physical injury,
8 such as suffering burns or asphyxiation. Second, an additional, substantial portion
9 of the Claimants witnessed exposure to the risk of death or serious physical injury
10 occurring to others, sometimes members of their immediate family. Third, an
11 additional, substantial portion of the Claimants learned about exposure to the risk of
12 death or serious physical injury having occurred to close relatives or friends.
13 Fourth, an additional portion of the Claimants were involved in responding to the
14 gruesome aftermath of the Fires.

15 10. Each of the four categories itemized in ¶ 9 above meet the American
16 Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders*,
17 *Fifth Edition* (DSM-5) PTSD diagnostic criterion A, which are as follows:
18 "Exposure to actual or threatened death, serious injury, or section violence in one or
19 more of the following ways":

20 A.1: Directly experiencing the traumatic event(s).

21 A.2: Witnessing, in person, the event(s) as it occurred to others.

22 A.3: Learning that the traumatic event(s) occurred to a close family
23 member or close friend. In cases of actual or threatened death of a
24 family member or friend, the event(s) must have been violent or
25 accidental.

26 A.4: Experiencing repeated or extreme exposure to aversive details of
27 the traumatic event(s) (e.g., first responders collecting human
28 remains...).

1 *See Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5),*
2 *at A.1-A.4.*

3 11. In order to be a candidate for the PTSD diagnosis, it is only necessary
4 to satisfy one of the above-listed criteria, A.1-A.4. In other words, a Claimant that
5 fits into any of the above-listed four categories would be a candidate for the PTSD
6 diagnosis. Claimants who were trapped by, encountered, or were forced to flee the
7 Fires through flames and embers, who witnessed others being trapped by,
8 encountering or fleeing the Fires through flames or embers, or who learned that a
9 close friend or loved one was trapped by, encountered or was forced to flee the
10 Fires through flames or embers would be candidates for PTSD. If a Claimant
11 repeatedly witnessed the traumatic events, as would be the case with a first
12 responder, he or she would also be a candidate for PTSD.

13 12. It is well-established in the literature that a substantial portion of
14 persons satisfying one of the four prongs of the requisite traumatic event above
15 *supra* ¶ 11, will go on to develop the necessary symptoms to meet the diagnostic
16 criteria for PTSD and be so diagnosable.

17 13. A substantial portion of persons who develop PTSD will, according to
18 DSM-5, manifest physical symptoms, such as: (a) “marked physiological reactions
19 to internal or external cues that symbolize or resemble an aspect of the traumatic
20 events (i.e., traumatic reminders) (PTSD criterion B.5); (b) “exaggerated startle
21 response” (PTSD criterion E.4); and/or (c) “sleep disturbance” (PTSD criterion
22 E.6), which can include nightmares about the event, and insomnia or hypersomnia.

23 14. In addition to these physical manifestations of PTSD documented in
24 DSM-5, the vast PTSD research literature documents the presence of additional,
25 acquired physiological, and hormonal abnormalities in this condition. Persons with
26 PTSD and other trauma- and stress-related mental disorders may suffer from other
27 physical symptoms, including but not limited to hypervigilance, irritable or
28 aggressive behavior, rapid heart rate, loss of appetite and weight loss, physical

1 sensations of the trauma, and panic attacks of various degrees of severity. Some of
2 these findings has emanated from work conducted by my team in the PTSD
3 Research Laboratory at the Massachusetts General Hospital.

4 15. It is now well established in the medical literature, based in part upon
5 research from our laboratory, that PTSD is a brain disorder. Although some of the
6 brain abnormalities found in PTSD likely existed prior to the traumatic event, some
7 are acquired as the result of it. The latter include amygdala and anterior paralimbic
8 hyperresponsivity, and medial prefrontal cortical hyporesponsivity, during mental
9 imagery of the event, and diminished anterior cingulate cortex (and possibly
10 hippocampal) volume and function. I have reviewed this literature.²

11 16. Based on my understanding of the extreme conditions many of the
12 Claimants were exposed to, it is my professional opinion that a substantial portion
13 will have developed PTSD or another trauma- and stress-related mental disorder.
14 Claimants who do not meet the full diagnostic criteria for PTSD, may still develop
15 (a) "partial PTSD," "subsyndromal PTSD," or "subthreshold PTSD"; and/or (b) a
16 DSM-5 Adjustment Disorder or other mental disorder, such as Major Depressive
17 Disorder (MDD), or Anxiety Disorder. Persons in any of these groups often suffer
18 from clinically significant distress and/or functional impairment and may also show
19 some o the same physical manifestations as PTSD, which are described above,
20 *supra* ¶¶ 12-14.

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28 ² See, e.g., R.K. PITMAN, A.M. RASMUSSEN, K.C. KOENEN, L.M. SHIN, S.P. ORR, M.W.
GILBERTSON, M.R. MILAD & I. LIBERZON, *Biological Studies of Posttraumatic Stress Disorder*, in
NATURE REVIEWS NEUROSCIENCE 13:769-787 (2012 ed.).

1 I declare under the penalty of perjury under the laws of the United States that
2 the foregoing is true and correct and that this declaration was executed on the 1st
3 day of August in Charlestown, Massachusetts.
4

5 
6 _____

Roger K. Pitman, M.D.